

REMARKS

Favorable reconsideration and allowance of this application are requested.

1. Discussion of Amendments

By way of the amendment instructions above, the pending claims herein have been amended so as to clarify the same and to address the informalities helpfully noted by the Examiner. In this regard, independent claims 1 and 6 have each been revised so as to clarify that the elementary iron is present in an amount between 0.01 to 20 parts by weight (pbw). Support for such amendment can be found in the specification at page 4, line 23 through page 5, line 4. (See also original claim 7.)

The minor informalities noted in paragraphs 1-4 of the action have been corrected. In addition, claim 12 has been recast as a claim dependent from claim 6 to define the amount of elementary iron between 5 and 10 pbw as supported by page 5, lines 1-2 of the specification. Claim 15 has been cancelled.

Therefore, following entry of this amendment, claims 1-4 and 16-20 will remain pending herein for which favorable reconsideration is requested.

2. Response to 35 USC §§101 and 112 Rejection

The amendment to claim 12 and the cancellation of claim 15 are believed to render moot the rejections advanced under 35 USC §§101 and 112. Withdrawal of the same is therefore in order.

3. Response to Substantive Rejections

Many of the original claims attracted rejections under 35 USC §102(b) as allegedly being anticipated by Ohkawa et al (USP 4,891,399). In addition, several pending claims have been rejected as anticipated by or rendered obvious from Ohkawa

et al alone or in combination with El Sayed (USP 5,965,652), As will become evident from the following discussion, neither Ohkawa et al nor El Sayed is inappropriate as a reference against the presently pending claims.

Specifically, neither the applied Ohkawa et al nor El Sayed patents disclose a composition wherein elementary iron is present in the amounts defined in the pending claims or a process wherein such composition is produced.

Ohkawa et al describes a polymer composition containing a relatively high amount of metallic filler (30 - 98 pbw). Moreover, the metallic filler is zinc oxide. Iron filler is only mentioned as a part of a relatively long list. In comparative example 13, 90wt. % of iron is used in 10 wt.% of PA6.

Furthermore, in Ohkawa et al the polymer is the matrix material and the metallic filler is the dispersed phase. The metallic filler is coated to avoid oxidation. The metallic filler is added so as to obtain a molding composition having both metallic and polymeric properties. Nothing is said about the influence of the metallic filler on thermal stability of the polymer.

El Sayed describes a thermally stable polyamide composition containing a small amount of elementary Cu (10 - 2500 ppm) or Cu salt. Special measures are taken to increase the UV stability of the composition. There is no indication that elementary iron will have an effect on thermal stability. Moreover, while El Sayed teaches the use of Cu in amounts which overlap those of the elementary iron defined by pending claim 7, such a disclosure would not direct an ordinarily skilled person to the presently claimed invention.

That is, the ordinarily skilled person would not combine Ohkawa et al with El Sayed in the first instance as they are unrelated to one another technically. El Sayed is directed to use Cu as thermal stabilizer while Ohkawa et al is directed to compounds

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containing a metallic filler so as to obtain a material that both has metallic and polymeric properties. Moreover, in El Sayed no indication or guidance is provided that any material other than Cu might work as thermal stabilizer. Also, as noted previously, the amount of metal in Ohkawa et al is much larger from those claimed herein and even the preferred amounts of metal in Ohkawa et al direct the ordinarily skilled person even further away . Cu and Fe are not mentioned as alternatives in view of thermal stabilization.

Thus, the presently pending claims are both novel and unobvious over Ohkawa et al alone or when combined with El Sayed. Withdrawal of all rejections based on such publications is therefore in order.

4. Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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